
REQUEST FOR PROPOSALS

0634-205

Project Title: LEGAL SERVICES
TO CHILDREN'S ADMINISTRATION
Under Child Abuse Prevention and Treatment
Act (CAPTA)

Estimated Contract Period: July 1, 2006 through June 30, 2007
Amendments extending the period of
performance, if any, shall be at the sole
discretion of DSHS.

Proposal Due Date: All Proposals whether mailed or hand
delivered must arrive by **5:00 p.m.** Pacific
Standard time on **April 20, 2006**. **Faxed bids**
WILL NOT be accepted. E-mailed bids
WILL NOT be accepted.

Submit Proposal To: **Proposal Delivered by Mail:**
Sheila R. Anderson, RFP Coordinator
Department of Social and Health Services
Administrative Services Division / Central
Contract Services
PO BOX 45811
Olympia, WA 98504-5811

**Proposal Delivered by Express / Hand
Delivery, Or Courier:**
Sheila R. Anderson, RFP Coordinator
Department of Social and Health Services
Administrative Services Division / Central
Contract Services
4500 10th Avenue SE
Lacey, WA 98503

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SECTION I. INTRODUCTION

A. PURPOSE OF REQUEST FOR PROPOSAL

The Department of Social and Health Services (Department or DSHS), Children's Administration (CA), seeks proposals from qualified attorneys to provide legal services to CA for the purpose of representing the Department's interests at adjudicative proceedings regarding challenges to the Department's "findings" of abuse or neglect under the Child Abuse Prevention and Treatment Act (CAPTA).

B. BACKGROUND

Under RCW 26.44.125 a person named as an alleged perpetrator in a founded report of child abuse or neglect has the right to seek review and amendment of the finding. If, following agency review, the report remains founded, the person named as the alleged perpetrator in the report may request an adjudicative hearing to contest the finding. The adjudicative proceeding is governed by Chapter 34.05 RCW and RCW 26.44.125.

Representation of the Department at such adjudicative hearings will be provided on an as-needed basis, and as requested by CA. Hearings are normally held before an Administrative Law Judge (ALJ) or the Department's Board of Appeals (BOA). Hearings are held at various locations within the state.

The Child Abuse Prevention and Treatment Act (CAPTA) is found at 42 USC 5101 et seq. and 42 USC 5116 et seq.

Note: The Child Abuse Prevention and Treatment Act (CAPTA) was originally enacted in P.L. 93-247. The law was completely rewritten in the Child Abuse Prevention, Adoption and Family Services Act of 1988 (P.L. 100-294, 4/25/88). It was further amended by the Child Abuse Prevention Challenge Grants Reauthorization Act of 1989 (P.L. 101-126, 10/25/89) and the Drug Free School Amendments of 1989 (P.L. 101-226, 12/12/89).

C. PROJECT SCOPE

The attorney selected will be expected to handle an average of six CAPTA hearings a month for CA while efficiently managing a case load of approximately 100 active cases. The attorney selected will coordinate with the CAPTA Project Manager and CA in preparing for hearings and in representing the Department's interests, and will coordinate as necessary with the CA Assistant Secretary or designee.

Legal services will be billed at an hourly or other rate, as proposed by the bidder and negotiated with the Department, and may include office time, time spent in coordination with CAPTA Program Managers/Staff or Children's Administration, travel time, and time for appearances at hearings. Actual legal costs incurred in preparing for hearings and in representing the Department's interests, including mailing, copying, travel, accommodations, and other such incidentals, may be billed.

D. CONTRACT EXPECTATIONS

The contractor selected will be expected to meet the following requirements, which will be incorporated in any contract(s) awarded:

- The contractor will be responsible to subcontract for or otherwise provide a similarly qualified attorney, subject to the Department's approval, when necessary to provide back-up legal services;
- The contractor will provide secretarial/clerical/paralegal support as necessary;
- The contractor will present a monthly training on CAPTA issues for the CA Academy in West Seattle;
- The contractor will also provide a minimum of one training on CAPTA issues to each of the six regions during the fiscal year;
- The contractor will be evaluated on the contractor's success in meeting the following performance measures:
 - 1) "Zero" (no) default judgments; and
 - 2) More than 50% hearing affirmations.

E. MINIMUM QUALIFICATIONS

Interested attorneys should possess the following minimum qualifications to be considered:

- Currently admitted to practice law in Washington State, and in good standing;
- 5 years of legal experience in general;
- 3 years of legal experience in child abuse/neglect adjudicative proceedings or related matters;
- 3 years of experience trying cases or otherwise representing clients in adversarial, evidentiary hearings;
- Excellent writing and communication skills;
- Familiarity with CAPTA and with RCW's and WAC's relating to child abuse and neglect.

The Apparently Successful Bidder(s) must be eligible for appointment by the Attorney General's Office (AGO) as a Special Assistant Attorney General. The Attorney General has discretionary authority to appoint a qualified attorney who is licensed to practice law in the State of Washington as a Special Assistant Attorney General and does so in areas of the state where legal services cannot be provided to a state agency by the AGO. Generally speaking, the Apparently Successful Bidder(s) under this RFP should be capable of being appointed as a Special Assistant Attorney General, having met the other minimum qualifications of being currently admitted to practice law in Washington State and in good standing.

F. DEFINITIONS

See Exhibit A, Definitions, for the meaning of certain terms used in this RFP.

SECTION II. GENERAL INFORMATION

A. PROCUREMENT CONTACT INFORMATION

Upon release of this RFP, all communications concerning this RFP must be directed only to the RFP Coordinator listed below. Any communication directed to the Department's staff, or its consultant, other than the RFP Coordinator may result in disqualification. Any oral communications will be considered unofficial and non-binding to the Department. Bidders should rely only on written statements issued by the RFP Coordinator.

DSHS RFP Coordinator

Contact:	Sheila R. Anderson, RFP Coordinator Department of Social & Health Services Administrative Services Division / Central Contract Services
Mailing Address:	P.O. Box 45811 Olympia, Washington 98504-5811
Physical Address:	4500 10th Avenue SE Lacey, Washington 98503
Telephone:	(360) 664-6056
FAX:	(360) 664-6184
E-mail Address:	AnderSR2@dshs.wa.gov

B. ACCEPTANCE OF RFP TERMS

A Proposal submitted in response to this RFP shall be considered a binding offer. Acknowledgement of this condition shall be indicated by signature of an officer of the Bidder legally authorized to execute contractual obligations by submitting with the Proposal a signed Bidder Information, Certificates and Assurances Form attached hereto as Exhibit B. A Bidder must clearly identify and thoroughly explain any variations between its Proposal and DSHS' RFP. Failure to do so shall be deemed a waiver of any rights to subsequently modify the terms of performance, except as outlined or specified in the RFP.

C. PROCUREMENT SCHEDULE

The Procurement Schedule outlines the tentative schedule for important action dates and times. DSHS reserves the right to revise this schedule at any time and will post any amended schedules on the DSHS Procurement website.

Figure 1. *PROCUREMENT SCHEDULE*

Item	Action	Date
1.	Issue RFP	March 9, 2006
2.	Last Date for Accepting Bidder Written Questions\Complaints	March 23, 2006
3.	Issue Response to Written Questions No Later Than	March 31, 2006
4.	Proposal Submission Due by 5:00 p.m. Pacific Standard time	April 20, 2006
5.	Proposal Evaluation	April 25, 2006 – April 27, 2006
6.	Oral Interviews, If Required	May 2, 2006 – May 4, 2006
7.	Notify Apparently Successful Bidder	May 10, 2006
8.	Notify Unsuccessful Bidders	May 10, 2006
9.	Bidder's Request for Debriefing Due	May 16, 2006
10.	Hold Debriefing Conferences	May 19, 2006
11.	Protests Due	May 23, 2006
12.	Begin Contract Negotiations	May 10, 2006 – May 31, 2006
13.	Contract Execution	Anticipated June 20, 2006
14.	Contract Start Date	July 1, 2006

D. CONTRACT

DSHS intends to award one or more contracts to provide the services described in this RFP. A maximum of \$130,000 in funding is available for the fiscal year July 1, 2006 to June 30, 2007, for which one or more contracts would be awarded.

The initial contract term shall be from July 1, 2006 to June 30, 2007. DSHS and the contractor may agree to extend the contract for an additional year until June 30, 2008 and thereafter, for such additional periods as the parties may

agree to, not to exceed a total of two (2) years or until June 30, 2010, provided in each instance that funding is available.

Amendments extending the period of performance, if any, shall be at the sole discretion of DSHS.

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Bidders should familiarize themselves with the requirements prior to submitting a Proposal.

E. INSURANCE

The Apparently Successful Bidder must comply with the insurance requirements identified in the sample contract attached hereto as Exhibit C.

F. CONTRACT AMENDMENT

Additional services that are appropriate to the scope of this RFP, as determined by DSHS, may be added to the resulting Contract by a written amendment mutually agreed to and executed by both parties.

G. PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Materials submitted in response to this RFP shall become the property of DSHS. All proposals, quotes, lists, evaluation documents and other documents that make up this Procurement shall remain confidential until 1) DSHS makes it available to the public pursuant to RCW 42.17, or 2) the contract, if any, resulting from this RFP is signed by DSHS and the Apparently Successful Bidder. Thereafter, the proposals shall be deemed public records as defined in RCW 42.17.

Bidder's proposal must include a statement on the Letter of Submittal identifying each page of your proposal which contains any proprietary information. Each page claimed to be proprietary must be clearly marked by printing the word "Proprietary" on the lower right hand corner of each page which contains any proprietary information.

If DSHS receives a request to view or copy your proposal, DSHS will respond according to applicable law and DSHS policy governing public disclosure. DSHS will not disclose any information marked "Proprietary" in your proposal without giving you ten (10) days notice for you to seek a court injunction against the disclosure. You may not mark your entire proposal proprietary.

H. WRITTEN REPRESENTATIONS

Proposals should be based on the material contained in this RFP, any related amendment(s), and any questions and answers directed through the RFP Coordinator.

I. QUESTIONS AND ANSWERS

Bidders should fax, e-mail or mail written questions to the RFP Coordinator. Early submission of questions is encouraged. Questions will be accepted until the date set forth in the Procurement Schedule. Questions and Answers will be on the DSHS Procurement website.

J. RFP AMENDMENTS

DSHS reserves the right, at any time before execution of a contract, to amend all or a portion of this RFP. Amendments will be posted on the DSHS Procurements Web site, if applicable. If there is any conflict between amendments or between an amendment and the RFP, whichever document was issued last in time shall be controlling.

K. RETRACTION OF THIS RFP

DSHS and the State of Washington are not obligated to contract for the services specified in this RFP. DSHS reserves the right to retract this RFP in whole, or in part, at any time without penalty.

L. SUBMISSION OF PROPOSALS

Proposals must be prepared and submitted no later than the proposal submission date and time specified in the Procurement Schedule. The proposal is to be sent to the RFP Coordinator, either by mail or hand delivery, at the address specified in Section II.A., Procurement Contact Information. DSHS will not accept any proposal submitted by fax. DSHS will not accept any proposal submitted by email.

You should allow sufficient time to ensure timely receipt by the RFP Coordinator. You assume the risk for the method of delivery and for any delay in the mailing or delivery of your proposal.

DSHS reserves the right to disqualify any proposal and withdraw it from consideration if it is received after the proposal submission due date and time. All proposals and any accompanying documentation become the property of DSHS and will not be returned.

M. NONRESPONSIVE PROPOSALS

All proposals will be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. DSHS may reject or withdraw your proposal at any time as nonresponsive for any of the following reasons:

- Incomplete proposal;
- Submission of alternative proposals;
- Failure to comply with any part of this RFP or any exhibit to this RFP;
- Submission of incorrect, misleading, or false information.

N. MINOR IRREGULARITIES

DSHS may waive minor administrative irregularities related to any proposal.

O. COST TO PROPOSE

DSHS will not be liable for any costs incurred by the Bidder in preparing, submitting or presenting a proposal for this RFP.

P. JOINT PROPOSALS

If you submit a joint proposal, with one or more other bidders, you must designate the prime bidder. The prime bidder will be DSHS' sole point of contact, will sign the contract and any amendments, and will bear sole responsibility for performance under the contract.

Q. EXHIBITS

Exhibits to this RFP are:

- Exhibit A - Definitions
- Exhibit B - Bidder Information, Certifications and Assurances Form
- Exhibit C - Sample Contract

You should be sure that you have downloaded a complete copy of this RFP and all attached exhibits, as listed above. The procurement documents can be accessed at <http://www1.dshs.wa.gov/msa/ccs/>. If you are unable to download the documents, you should contact the RFP Coordinator.

It is not a ground for protest if your copy of this RFP should be missing any exhibit or pages of the RFP.

R. WITHDRAWAL OF PROPOSALS

After a Proposal has been submitted, Bidders may withdraw a proposal at any time up to the proposal submission date and time specified in the Procurement Schedule. A written request signed by an authorized representative of the Bidder must be submitted to the RFP Coordinator. After withdrawing a previously submitted proposal, the Bidder may submit another proposal at any time up to the proposal submission date and time.

S. NOTIFY APPARENTLY SUCCESSFUL BIDDER

DSHS will notify the Apparently Successful Bidder on or about the date and time specified in the Procurement Schedule of the selection of the Apparently Successful Bidder by written notice via mail, e-mail and/or fax. DSHS will notify separately the Unsuccessful Bidders on or about the date and time specified in the Procurement Schedule of the non-selection of the Unsuccessful Bidder by written notice via mail, e-mail and/or fax.

T. BIDDER DEBRIEFING CONFERENCE

If DSHS does not select your proposal, you may request a debriefing conference. You must submit your request in writing to the RFP Coordinator by mail or fax by the date specified in the Procurement Schedule, Section II.C., Figure 1.

Debriefing conferences will be held on **May 19, 2006**. The debriefing conference may be conducted either in person or by telephone and will be scheduled for a maximum of one hour.

Discussion at the debriefing conference will be limited to the following:

- Evaluation and scoring of your proposal;
- Critique of your proposal based on evaluators' comments; and
- Review of your final score in comparison with other Bidders' final scores without identifying the Bidders.

Identification of the other Bidders, their proposals or evaluations will not be allowed.

U. PROTEST

Protests may be made only after DSHS has sent notification to the Apparently Successful Bidder and to the unsuccessful bidders. In order to submit a protest under this RFP, a Bidder must have submitted a Proposal for this RFP, and have requested and participated in a debriefing conference. It is the sole administrative remedy available within DSHS. The following is the process for filing a protest:

1. GROUNDS FOR PROTEST

A protest may be made based on these grounds only:

- Arithmetic errors were made by DSHS in computing the score;
- DSHS failed to follow the procedures established in this RFP document, or to follow applicable State or federal laws or regulations; or
- Bias, discrimination, or conflict of interest on the part of an evaluator.

2. PROTEST FORM AND CONTENT

A protest must state all of the facts and arguments upon which the protest is based, and the grounds for your protest. It must be in writing and signed by a person authorized to bind the Bidder to a contractual relationship. At a minimum, the protest must include:

- The name of the protesting Bidder, mailing address and phone number, and the name of the individual responsible for submission of the protest;

- The RFP number and name of the issuing agency;
- A detailed and complete statement of the specific action(s) by DSHS under protest;
- The grounds for the protest;
- Description of the relief or corrective action requested.

You may attach to your protest any documentation you offer to support your protest.

3. SUBMITTING A PROTEST

Your protest must be in writing and must be signed. You must mail or hand deliver your protest to the RFP Coordinator using the same mailing or delivery address provided in this RFP for submitting your proposal. *Protests may not be submitted by fax or email.* DSHS must receive the written protest within **five (5)** business days after the debriefing conference.

4. PROTEST PROCESS

The RFP Coordinator will forward your protest to the DSHS designated Protest Coordinator with copies of the following:

- this RFP and any amendments,
- your proposal,
- the evaluators' scoring sheets, and
- any other documents showing evaluation and scoring of your proposal.

DSHS will follow these procedures in reviewing your protest:

- DSHS will conduct an objective review of your protest, based on the contents of your written protest and the above materials provided by the RFP Coordinator.
- DSHS will send you a written decision within five (5) business days after DSHS receives your protest, unless more time is required to review the protest and make a determination. The protesting Bidder will be notified by the RFP Coordinator if additional time is necessary.

DSHS will make a final determination of your protest and will either:

- 1) Find that your protest lacks merit and uphold DSHS's actions;
- 2) Find that any errors in the RFP process or in DSHS' conduct did not influence the outcome of the RFP, and uphold DSHS' actions; or

- 3) Find merit in the protest and provide options for corrective action by DSHS which may include:
 - That DSHS correct any errors and re-evaluate all proposals affected by its determination of the protest;
 - That DSHS reissue the RFP document; or
 - That DSHS make other findings and take such other action as may be appropriate.

V. EXECUTION OF THE CONTRACT

If you are the Apparently Successful Bidder, you will be expected to sign a contract with DSHS and any subsequent amendments that may be required to address specific work or services as needed. A sample contract is attached as Exhibit C.

DSHS reserves the right to negotiate the specific wording of the Statement of Work, based on the requirements of this RFP and the terms of your proposal.

If you fail or refuse to sign the contract or any subsequent amendment within ten (10) business days of delivery to you, DSHS may elect to cancel the award and may award the contract to the next-highest ranked finalist.

Any subcontracts necessary to perform the contract shall be subject to the prior written approval of DSHS.

SECTION III. PROPOSAL CONTENTS

A. PROPOSAL CONTENTS

The four major sections of the proposal are to be submitted in the order noted below in Section III.C., Contents of Binders:

Proposals must provide information in the same order as presented in this document with the same headings. The questions in each of the four sections are described below. All questions must be answered and all items must be included as part of the proposal for the proposal to be considered responsive, even though certain items may not be scored.

B. FORMAT OF PROPOSAL

- Proposals must be submitted on standard eight and one-half by eleven inch (8 ½" x 11") white paper.
- A font size not less than 12 point must be used.
- Proposals must be submitted in separate three-ring binders as specified in Section III.C., Contents of Binders, with tabs separating the major sections of the Proposal, and your name on the front cover or title page of each binder.
- Identify each binder of your proposal by including Proposal to RFP #0634-205; the title of this RFP, Legal Services to Children's Administration Under Child Abuse Prevention and Treatment Act (CAPTA); and your name on the front cover.

C. CONTENTS OF BINDERS

Submit one binder marked "Original" and four binders marked "Copy", each organized into the following sections.

- Table of Contents
- Section 1: Administrative Requirements.
- Section 2: Technical Proposal
- Section 3: Management/Experience and Qualifications Proposal
- Section 4: Cost Proposal

In addition, include one soft copy in Microsoft Word 2000 file format or Microsoft Excel 2000 file format if appropriate on a portable media or electronic readable media (Compact Disc (CD-ROM) or 3.5" diskette), with a label on the CD or diskette identifying your name and RFP#0634-205.

D. ADMINISTRATIVE REQUIREMENTS (SECTION 1 OF PROPOSAL BINDER)

Please respond to each item in the same order in which they appear.

1. Letter of Submittal

Bidders must submit a prepared and signed submittal letter on Bidder's official business letterhead stationery. The submittal letter must be included as the first page of Section 1. Signing the submittal letter indicates that the Bidder accepts the terms and conditions of RFP# _____.

The Bidder's Letter of Submittal must include the following:

- Name, address, principal place of business, telephone number, fax number, and e-mail address of legal entity or individual with whom contract would be written;
- The name of your contact person for this RFP;
- A detailed list of all materials and enclosures included in your Proposal;
- A list of all RFP amendments downloaded by the Bidder from the DSHS Procurements Web site, if applicable, and listed in order by amendment number and date. If there are no RFP amendments, include a statement to that effect;
- The Bidder's guarantee that its Proposal, as submitted, will remain in full force and effect for 180 days;
- A statement substantiating that the person who signs the letter is authorized to contractually bind the Bidder's firm;
- Identification of the page numbers on the Bidder's Proposal that are marked "Proprietary or Confidential" Information; and
- Any statements you wish to convey to the RFP Coordinator, including any variations between your proposal and the RFP.

2. Bidder Information, Certificates and Assurances Form

A completed Bidder Information, Certificates and Assurances Form Exhibit B. Please sign and include any attachments that are necessary.

3. Reference Section

Provide a list of at least three (3) references of entities for which you have performed similar services. Include the names, telephone numbers, dates of services, and a brief description of the similar services you provided them in the past. References will only be contacted for finalist(s).

E. RESPONDING TO QUESTIONS IN SECTIONS III. F-H

Numbering of Responses. Each response by the bidder to a question must be numbered using the same number which corresponds to that of the question.

Points Awarded for Responses. The number in parentheses after each question or requirement represents the maximum number of points that may be awarded for the bidder's response to that question or requirement.

Content of Responses. Bidders should provide only the information requested. Additional information and documents submitted as part of the bidder's response, but which are not responsive to the question, are not required to be considered. Evaluators may award a lower score for a response if additional information or material provided by the bidder is not responsive to the question.

Length of Responses. Bidders must limit the length of each individual response to the "response limit" indicated after each question. The total number of pages for the bidder's written responses to all questions shall not exceed **21 pages**. This page limit does not include letters of reference or resumes which may be attached. Proposals with responses in excess of the maximum number of pages allowed may be rejected as nonresponsive.

Failure to follow the above instructions may result in any or all of a bidder's responses to the following questions being considered as nonresponsive, and scored accordingly, or may result in the bidder's proposal being rejected as nonresponsive.

F. TECHNICAL PROPOSAL (SECTION 2 OF PROPOSAL BINDER)

Please respond to each question in the same order in which they appear.

1. Describe how you will review and analyze an individual CAPTA case that is referred to you; what rules or legal concepts you expect to apply; and what general issues or concerns you would address at the outset in advising DSHS/CA.

(Limit response to 2 pages)

(Maximum points: 25)

2. Describe your current capability to provide the legal services in question.

(Limit response to 1 page)

(Maximum points: 15)

3. Explain how you propose to perform a contract overall; how you will handle multiple CAPTA cases and balance that with your other legal work; and how you propose to provide the various services that will be required, such as review of cases, research, preparation for hearing, travel to and attendance at hearings, and coordination with DSHS/CA.

(Limit response to 2 pages)

(Maximum points: 20)

4. In which areas of the state do you propose to provide CAPTA legal services and appear at hearings as necessary?

(Limit response to 1 page)

(Maximum points: 10)

*Total Available Points for Technical Proposal - 70 Points
Page Limit for Responses to Technical Proposal - 6 Pages*

G. MANAGEMENT, EXPERIENCE AND QUALIFICATIONS PROPOSAL (SECTION 3 OF PROPOSAL BINDER)

Please respond to each question in the same order in which they appear.

1. State how you determined that you meet the following minimum qualifications for this RFP, as set forth in Section I-E of the RFP, and describe your experience as it relates to each item below:
 - a. Currently admitted to practice law in Washington State, and in good standing; (10 points)
 - b. 5 years of legal experience in general; (15 points)
 - c. 3 years of legal experience in child abuse/neglect adjudicative proceedings or related matters; (25 points)
 - d. 3 years of experience trying cases or otherwise representing clients in adversarial, evidentiary hearings; (25 points)
 - e. Excellent writing and communication skills; (20 points)
 - f. Familiarity with CAPTA and with RCW's and WAC's relating to child abuse and neglect; (15 points)

(Limit response to 4 pages)

(Maximum points: 110)

2. Describe your experience – or the experience of the attorney who would provide CAPTA legal services under any contract awarded – specifically with respect to adjudicative hearings under the Child Abuse and Treatment Prevention Act (CAPTA).

(Limit response to 2 pages)

(Maximum points: 25)

3. Describe any experience you have working with DSHS or CA in particular.

(Limit response to 1 page)

(Maximum points: 15)

4. Describe any experience you have working with the Attorney General's Office. Have you previously served as a Special Assistant Attorney General, under appointment by the Attorney General's Office, or have you previously been employed by the Attorney General's Office as an Assistant Attorney General? If so, state the periods of your appointment or employment by the Attorney General's Office, and describe the nature of your work or services provided, and specialty or area of concentration if any.

(Limit response to 2 pages)

(Maximum points: 20)

5. Will you subcontract to provide any of the services described in the RFP? If so, state the names, addresses, qualifications, and experience of all actual or potential subcontractors which you have selected or identified to provide such services, or which you otherwise intend to call upon. State what qualifications and experience you will require of any other subcontractors you may choose.

(Limit response to 1 page)

(No points awarded: -0-)

6. How will you provide for the necessary staff and resources to provide CAPTA legal services as described in the RFP?

(Limit response to 1 page)

(Maximum points: 20)

7. Identify the specific persons who will be providing the services under any contract awarded, including a description of each person's qualifications and experience for providing the legal services in question.

(Limit response to 2 pages)

(Maximum points: 25)

8. Attach to your responses the resume(s) of the attorney(s) who will provide CAPTA legal services under any contract awarded.

(Resumes not included in page limit)

(Maximum points: 14)

Total Available Points for Qualifications - 230 Points

Page Limit for Responses to Qualifications - 13 Pages

H. COST PROPOSAL (SECTION 4 OF PROPOSAL BINDER)

1. Re-state the areas of the state you propose to serve and that are included in your cost proposal.

(Limit response to 1 page)

(No points awarded)

2. State your hourly or other rate that you propose to perform a contract. Identify all costs, and the amounts thereof, which you propose to charge (whether you describe them as fees, rates, expenses or otherwise) to provide the services described in the RFP.

(Limit response to 1 page)

(Maximum points: 50)

Total Available Points for Cost Proposal - 50 Points

Page Limit for Responses to Cost Proposal - 2 Pages

SECTION IV. EVALUATION

A. EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this Procurement and any amendments issued. The evaluation of proposals shall be accomplished by an evaluation team to be designated by DSHS who will be responsible for the review, evaluation and scoring of Bidder proposals. DSHS, at its sole discretion, will select finalists for an oral presentation. If oral presentations are held, evaluators will evaluate and score the oral presentations of bidders selected as finalists.

B. PROPOSAL EVALUATION

Each Proposal will first be screened to determine if the Bidder has complied with appropriate Administrative Requirements and Submittal Instructions. Each Proposal must meet the Administrative Requirements to be eligible to submit a proposal to this RFP. If your proposal does not meet all Administrative Requirements for this RFP, DSHS may consider your proposal nonresponsive and withdraw it from consideration at any time. Evaluators will score all responsive proposals and award points up to the maximum points available for each question.

C. SCORING OF PROPOSALS

The maximum number of evaluation points available is 550. The Administrative Requirements are evaluated on a pass/fail basis. The following points will be assigned to the proposal for evaluation purposes:

WRITTEN PROPOSAL

Technical Proposal -	70 Points
Experience and Qualifications-	230 Points
Cost Proposal -	50 Points

Sub-Total (for Written Proposal)	350 Points
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Oral Presentations [finalist(s) only]	100 <i>Points</i>
References [finalist(s) only]	100 Points

TOTAL	550 Points
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References will be contacted for the top-scoring proposer(s) only and will then be scored and added to the total score.

Your sub-total score for the written proposal will be the average of the scores of the evaluators who review your written proposal. Your final Total Evaluation Score will be the average points awarded for your written proposal, your references if applicable, and your oral presentations if applicable.

D. EVALUATION OF ORAL PRESENTATIONS

DSHS may, after evaluating the written proposals, elect to schedule oral presentations of the finalists. The RFP Coordinator will notify finalists of the date, time, and location of the oral presentations.

DSHS will select evaluators for the oral presentations based on their qualifications, experience and background relevant to this RFP. These evaluators may include evaluators who reviewed the written proposals or DSHS staff who will work with the successful bidder(s). Evaluators will score the oral presentations in accordance with RFP requirements and evaluation criteria.

E. FINAL DETERMINATION OF APPARENTLY SUCCESSFUL BIDDER(S)

DSHS program staff and/or management may conduct a final review of the evaluation and scoring of finalist(s).

In this final review, DSHS may consider past or current performance of any DSHS contracts by a finalist(s), and any experience of the program or DSHS in working with a finalist(s) under any past or current contract with DSHS.

DSHS management shall make the final determination as to which bidder(s), initially designated as finalist(s), shall be officially selected and notified as the Apparently Successful Bidder(s) under this Procurement.

In doing so, DSHS management shall be guided, but not bound, by the scores awarded by the evaluators. Program staff and DSHS management shall determine which proposals reviewed during this final selection process will best meet the needs of DSHS and, specifically, the needs of the CA Administration.

Any bidder who would be an Apparently Successful Bidder based on the scores awarded by the evaluators, and who is not selected, shall be provided, upon request, with the reasons for selecting a bidder with a lower final score

Exhibit A

Definitions

DEFINITIONS

The following terms which appear in this RFP have the meaning that is defined below for the purposes of this RFP:

- Apparently Successful Bidder - A bidder selected as having submitted a successful proposal, based on the final determination of DSHS management taking into consideration the bidder's final proposal score and which proposals best meet the needs of DSHS. The bidder is considered an "apparently" successful bidder until a contract is finalized and executed.
- Agency – The Department of Social and Health Services is the agency of the State of Washington that is issuing this RFP.
- Bidder - An individual, organization, public or private agency, or other entity submitting a proposal in response to this RFP.
- Contractor – Individual or Company whose proposal has been accepted by the Agency and is awarded a fully executed, written contract.
- Issue - To mail, post or otherwise release this RFP as a public document to interested parties.
- Key Personnel - Staff being proposed to do the work under this proposal.
- Proposal - All material prepared and assembled by a bidder, and which the bidder submits in response to this RFP.
- Protest - An objection by the bidder, in writing, protesting the results of this RFP, and which complies with all requirements of this RFP.
- RCW - Revised Code of Washington. (All references to RCW chapters or sections shall include any successor, amended, or replacement statute.)
- RFP - Request for Proposals; i.e., this RFP document.
- RFP Coordinator - The person named in this RFP as the RFP Coordinator, or the RFP Coordinator's designee within Central Contract Services. The sole point of contact within DSHS regarding this RFP for potential bidders and other interested parties.
- Statement of Work - A statement of the work or services which the Contractor is to perform under any contract awarded, and which is generally in the form of an exhibit attached to the contract.
- Submit - To deliver to the DSHS RFP Coordinator any of several documents described in this RFP and in the manner specified in this RFP.
- WAC - Washington Administrative Code. (All references to WAC chapters or sections shall include any successor, amended, or replacement regulation.)

- You - The person, agency, or organization requesting a copy of this RFP or submitting a proposal in response to this RFP.